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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,660	12/08/2000	Eric A. Battilega	24-NS-05995	2856

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Michael Tersillo
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102-2740

EXAMINER

MOSLEHI, FARHOOD

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/22/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,660

Applicant(s)

BATTLEGA ET AL.

Examiner

Farhood Moslehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claims 1-55 are presented for examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14, 19-26, 36-50 and 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen (5,948,054).

5. As per claim 1, Nielsen clearly teaches a method for providing consulting services to a customer, said method comprising the steps of:

Assisting the customer online in formulating a problem to be addressed by the consulting service provider (e.g. col. 4, lines 66-67); suggesting at least one approach for using consulting services to resolve the problem (e.g. col. 4, lines 34-39); and providing the consulting services in a collaborative and centralized web-based environment (e.g. Figure 1).

6. As per claim 20, it is rejected for similar reasons as stated above.

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7. As per claim 36, it is rejected for similar reasons as stated above.
8. As per claim 2, Nielsen teaches a method further comprising the step of formulating a request for specific types of consulting services to address the problem (e.g. col. 1, lines 54-62).
9. As per claim 21, it is rejected for similar reasons as stated above.
10. As per claim 37, it is rejected for similar reasons as stated above.
11. As per claim 39, it is rejected for similar reasons as stated above.
12. As per claim 3, Nielsen teaches a method further comprising the step of providing a plurality of customer options via a menu screen (e.g. Figure 5).
13. As per claim 40, it is rejected for similar reasons as stated above.
14. As per claim 4, Nielsen teaches a method wherein said step of providing a plurality of customer options comprises the step of providing at least two of a consulting request wizard, a sample services option, a sample reports option, and a project collaboration option (e.g. cols 1-2, lines 65-67 and 1-18 respectively).
15. As per claim 41, it is rejected for similar reasons as stated above.
16. As per claim 5, Nielsen teaches a method wherein said step of assisting the customer online in formulating a problem to be addressed by the consulting services provider comprises the step of providing the consulting request wizard, the consulting request wizard configured to guide the customer interactively in defining the problem to be addressed (e.g. col. 2, lines 2-17).
17. As per claim 23, it is rejected for similar reasons as stated above.
18. As per claim 42, it is rejected for similar reasons as stated above.

19. As per claim 6, Nielsen teaches a method wherein said step of providing the consulting request wizard comprises the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem addressed (e.g. col. 6, lines 10-14).

20. As per claim 24, it is rejected for similar reasons as stated above.

21. As per claim 43, it is rejected for similar reasons as stated above.

22. As per claim 7, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard with a prompt to the customer to provide information identifying a physical plant to which the problem relates (e.g. col. 7, lines 19-23.

Consultants and their expertise are selected by the matchmaking process. A physical plant consultant is available as are other types of consultants).

23. As per claim 8, it is rejected for similar reasons as stated above.

24. As per claim 25, it is rejected for similar reasons as stated above.

25. As per claim 44, it is rejected for similar reasons as stated above.

26. As per claim 45, it is rejected for similar reasons as stated above.

27. As per claim 9, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard with a prompt to the customer to provide information identifying a system to which the problem relates (e.g. col. 3, lines 55-64).

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28. As per claim 26, it is rejected for similar reasons as stated above.
29. As per claim 46, it is rejected for similar reasons as stated above.
30. As per claim 10, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard with a prompt to the customer to provide information identifying a component to which the problem relates (e.g. col. 4-5, lines 66-67 and 1-7 respectively).
31. As per claim 11, it is rejected for similar reasons as stated above.
32. As per claim 47, it is rejected for similar reasons as stated above.
33. As per claim 48, it is rejected for similar reasons as stated above.
34. As per claim 12, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard with a prompt to the customer to provide information identifying a type of consultation support that is potentially useful for solving the problem (e.g. Figure 5).
35. As per claim 13, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard least one area of technical expertise that is potentially useful for solving the problem (e.g. Figure 1 and col. 4, lines 34-42).

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36. As per claim 49, it is rejected for similar reasons as stated above.

37. As per claim 14, Nielsen teaches a method wherein the step of providing the consulting request wizard with a plurality of prompts to the customer to provide information relating to the problem to be addressed comprises the step of providing the consulting request wizard with a prompt to the customer to provide information on the time available to solve the problem (e.g. col. 4, lines 37-43).

38. As per claim 50, it is rejected for similar reasons as stated above.

39. As per claim 19, Nielsen teaches a method wherein said step of providing at least two of a consulting request wizard, a sample services option, a sample reports option, and a project collaboration option comprises providing the project collaboration option, the project collaboration option configured to provide the customer and the consulting services provider with a centralized collaboration area wherein single versions of consulting communications are posted and revisited (e.g. col. 4, lines 50-67).

40. As per claim 55, it is rejected for similar reasons as stated above.

41. As per claim 22, Nielsen teaches a consulting method wherein the step of providing the electronic user interface comprises the step of providing a web site accessible by the customer via a computer device interconnected to a distributed computer network (e.g. col. 1, lines 50-64).

42. As per claim 38, it is rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

43. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

44. Claims 15-18, 27-35, 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen in view of Faber et al. (US 2002/0010608) (hereinafter Faber).

45. As per claim 15, Nielsen does not specifically teach a method wherein said step of providing at least two of a consulting request wizard, a sample services option, a sample reports option, and a project collaboration option comprises providing the sample services option, the sample services option configured to provide the customer with descriptions of a plurality of sample services available to the customer. Faber teaches a method wherein said step of providing at least two of a consulting request wizard, a sample services option, a sample reports option, and a project collaboration option comprises providing the sample services option, the sample services option configured to provide the customer with descriptions of a plurality of sample services available to the customer (e.g. Figures 3 and 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Nielsen and Faber. The motivation would have been to provide examples of consulting services that could be offered.

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46. As per claim 16, it is rejected for similar reasons as stated above.
47. As per claim 17, it is rejected for similar reasons as stated above.
48. As per claim 18, it is rejected for similar reasons as stated above.
49. As per claim 27, it is rejected for similar reasons as stated above.
50. As per claim 28, it is rejected for similar reasons as stated above.
51. As per claim 29, it is rejected for similar reasons as stated above.
52. As per claim 30, it is rejected for similar reasons as stated above.
53. As per claim 31, it is rejected for similar reasons as stated above.
54. As per claim 32, it is rejected for similar reasons as stated above.
55. As per claim 33, it is rejected for similar reasons as stated above.
56. As per claim 34, it is rejected for similar reasons as stated above.
57. As per claim 35, it is rejected for similar reasons as stated above.
58. As per claim 51, it is rejected for similar reasons as stated above.
59. As per claim 52, it is rejected for similar reasons as stated above.
60. As per claim 53, it is rejected for similar reasons as stated above.
61. As per claim 54, it is rejected for similar reasons as stated above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

fm



**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**